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Attorneys for Defendants studiVZ Ltd.,
Holtzbrinck Networks GmbH, and
Holtzbrinck Ventures GmbH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

STUDIVZ LTD., HOLTZBRINCK
NETWORKS GmbH,
HOLTZBRINCK VENTURES
GmbH, and DOES 1-25,

Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Hon. Jeremy Fogel

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION FOR
SANCTIONS AGAINST PLAINTIFF
AND ITS COUNSEL DUE TO
FACEBOOK'S CANCELLATION OF
DEPOSITIONS *AFTER* DEFENSE
COUNSEL HAD ALREADY FLOWN
TO GERMANY**

Date: March 3, 2009
Time: 10:00 a.m.
Dept./Place: Courtroom 2, 5th Floor
Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

1 The Motion of defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and
2 Holtzbrinck Ventures GmbH (“Defendants”) for an order for sanctions against
3 plaintiff Facebook, Inc. (“Facebook”) and its counsel Orrick, Herrington &
4 Sutcliffe LLP (“Orrick”) reimbursing Defendants for the fees and costs associated
5 with defense counsel’s travel to Germany to attend the depositions of Martin Weber
6 and Michael Brehm, which were noticed by Facebook to take place on January 12
7 and 13, 2009, which Facebook’s counsel then canceled *after* defense counsel had
8 already traveled to Germany (the “Motion”), was heard at 10:00 a.m. on March 3,
9 2009 in Courtroom 2 of the above-entitled Court, the Honorable Howard R. Lloyd,
10 United States Magistrate Judge, presiding.

11
12 Having considered the files in this case, and the papers and arguments of the
13 parties and their counsel, and for good cause shown, it is ORDERED that the
14 Motion is GRANTED. Accordingly, Facebook and Orrick are hereby ORDERED
15 to pay a monetary sanction to Defendants in the amount of \$ _____ in
16 connection with their wrongful cancellation of the depositions.

17
18 IT IS SO ORDERED.

19
20 DATED: _____, 2009

21 _____
22 The Honorable Howard R. Lloyd
23 United States Magistrate Judge
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